

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Shannell Drains.,	:	
Plaintiff	:	Civil Action 2:14-cv-01766
v.	:	Judge Watson
Marion Industries, Inc.,	:	Magistrate Judge Abel
Defendant	:	

Report and Recommendation

On September 30, 2014, plaintiff Shannell Drains filed this action alleging violations of 42 U.S.C. § 2000e *et seq.*

Section 1391 of Title 28 of the United States Code provides that a civil action may be brought in:

- (1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located;
- (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated; or
- (3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action.

28 U.S.C. § 1391(b).

Here, the complaint alleges that defendant Marion Industries, Inc. is located in Marion County, Ohio and that the events giving rise to her claim occurred in Trumbull

County, Ohio. Both Marion County and Trumbull County are located in the Northern District of Ohio. Accordingly, the Magistrate Judge RECOMMENDS that this case be TRANSFERRED to the Northern District of Ohio.

If any party objects to this Report and Recommendation, that party may, within fourteen (14) days, file and serve on all parties a motion for reconsideration by the Court, specifically designating this Report and Recommendation, and the part thereof in question, as well as the basis for objection thereto. 28 U.S.C. §636(b)(1)(B); Rule 72(b), Fed. R. Civ. P.

The parties are specifically advised that failure to object to the Report and Recommendation will result in a waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court. *Thomas v. Arn*, 474 U.S. 140, 150-152 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981); *United States v. Sullivan*, 431 F.3d 976, 984 (6th Cir. 2005); *Miller v. Currie*, 50 F.3d 373, 380 (6th Cir. 1995). Even when timely objections are filed, appellate review of issues not raised in those objections is waived. *Willis v. Sullivan*, 931 F.2d 390, 401 (6th Cir. 1991).

s/Mark R. Abel
United States Magistrate Judge